



07-19-04

RCE/3728

REQUEST

FOR

CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application No.	10/033,987
Filing Date	December 28, 2001
First Named Inventor	Baruck
Group Art Unit	3728
Examiner Name	Ted Kavanaugh
Attorney Docket No	214098

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on
(Any unentered amendment(s) referred to above will be entered.)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other:
- b. ☐ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Form PTO-1449
- v. ☐ Copies of documents listed in Form PTO-1449
- vi. ☐ Other:

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2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; fee under 37 CFR 1.17(i) required.)
- b. ☒ Applicant claims small entity status. See 37 CFR 1.27
- c. ☐ Other:

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ Please charge Deposit Account No. 12-1216 in the total amount indicated below. A duplicate copy of this transmittal sheet is enclosed herewith.
- i. ☒ RCE fee of \$385.00 (small entity) required under 37 CFR 1.17(e) \$385.00
- ii. ☒ Three-month extension of time fee of \$475.00 (37 CFR 1.136 and 1.17) \$475.00
- iii. ☒ Petition for an extension of time for the period noted above, as well as for any additional period necessary to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.
- iv. ☐ Suspension of action fee of \$130.00 (37 CFR 1.17(i))
- v. ☐ Other:

Total amount to be charged to Deposit Account \$860.00

- b. ☒ The Commissioner is hereby authorized to charge any deficiencies in the above fees or to credit any overpayments to Deposit Account No. 12-1216

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	JOHN M. AUGUSTYN	Registration No. (Attorney/Agent)	33,589
Signature		Date	February 18, 2004
Address	Leydig, Voit & Mayer, Ltd. Two Prudential Plaza, Suite 4900 180 North Stetson Avenue Chicago, Illinois 60601-6780	Phone	(312) 616-5600 (telephone) (312) 616-5700 (facsimile)

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.10

I hereby certify that this RCE Transmittal is, on the date indicated below, being deposited with the United States Postal Service as Express Mail No. EV 336874410 US in an envelope addressed to: Mail Stop RCE Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name (Print/Type)	JUDITH M. BOBER	Date	February 18, 2004
Signature		Date	February 18, 2004



PATENT
Attorney Docket No. 214098

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BARUCK

Art Unit: 3728

Application No. 10/033,987

Examiner: Ted Kavanaugh

Filed: December 28, 2001

For: DANCE SHOE

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated August 22, 2003, please consider the following remarks.

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Certificate of Mailing By Express Mail

I hereby certify that this RESPONSE TO OFFICE ACTION and all accompanying documents are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" Service No. EV 336874410 US on the date indicated below and is addressed to: Mail Stop, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

<i>Julita M. Bobek</i>	<i>Julita M. Bobek</i>	February 18, 2004
Name of Person Signing	Signature	Date